

## REMARKS

Claims 1-28 are pending in the present Application. Claims 1-3, 11-13, 18-21 and 23 have been amended, leaving Claims 1-28 for consideration upon entry of the present Amendment. No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

### Amended Claims

Claims 1-3, 11-13, 18-21 and 23 have been amended to better define the claimed subject matter. Support for the amendments to each of claims can be found at least in the specification, paragraphs [0059]-[0061].

### Drawings

The drawings have been amended as described.

### Specification

The abstract and specification have been amended as described.

### Claim Objections

Claims 2, 12 and 28 have been amended to address informalities raised in the present Office Action.

### Claim Rejections Under 35 U.S.C. § 112

Claims 1-28 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to the rejection of Claims 1, 11, 18 and 21, the Office Action stated that there was insufficient antecedent basis for "the selected business database system". The claims have been amended to provide sufficient antecedent basis.

As to the rejections of Claims 1, 11, 18 and 21 and Claims 3, 13, 20, 23, Applicants have amended the claims to clarify the rejections raised in items 19-21 of the present Office Action.

As to Claims 3, 13, 20 and 23, the Office Action stated that there was insufficient antecedent basis for "the other". The claims have been amended to provide sufficient antecedent basis.

Claim Rejections Under 35 U.S.C. § 101

Claims 18-20 are rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse the rejection. The Office Action has stated that “generating a simulation model”, executing a simulation to “generate values” and “performing a simulation of the process by processing the simulation model” all are produced “results” that remain in the abstract and thus fail to achieve the required status of having a real world value since it does not “generate” any output data or store values of output data for a practical use in a real world application. While Applicants maintain that the claimed subject matter does provide a real world result, Applicants have amended the claims to better define the claimed subject matter.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-4, 6, 8, 9, 11-16, 18-26 and 28 are rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Son et al (“Automatic Generation of Simulation Models from Neutral Libraries: An Example”, Proceedings of the 2000 Winter Simulation Conference”, Volume 2, pages 1558-1567, Orlando, FL, December 2000) in view of Kosiba et al (US Patent 7,103,562). Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). Furthermore, in *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984), it was held that there is no suggestion to modify a prior art device where the modification would render the device inoperable for its intended purpose.

The Office Action admits that Son et al does not expressly teach an optimization

application in communication with the model application and configured to receive commands from a user, to select at least one entity, task, and resource parameter of the simulation model with respect to an objective function, to define bounds of at least one of the entity, task, and resource parameter selected, and to generate values for the objective function based on the at least one of the task, and resource parameter selected. The Office Action further cites Kosiba as having an optimization application. However, Son et al does not have a teaching or suggestion that would motivate the addition of an optimization application. In fact, Son et al discloses the simplification of the generation of simulation models and reduces the complexity of simulation of modeling analysis (see at least Son et al Abstract). Son et al discloses the development of *neutral* libraries of simulation components. (see at least, Son et al Abstract, and FIG. 1). As such, the addition of an optimization application as described in Kosiba *adds* a level of complexity, which is contrary to the teaching of Son et al.

Furthermore, the Office Action introduces the concept of an optimization application from Kosiba, but fails to described how it cures any identified deficiencies in Son et al. In fact, the Office Action simply cites Kosiba stating how the Kosiba invention cures prior art deficiencies and *not the deficiencies of Son et al.*

For these reasons the Office Action has not made a prima facie case of obviousness over Son et al in view of Kosiba. Applicants therefore respectfully request a withdrawal of the rejection and an allowance of the claims.

Furthermore, Claims 1, 11, 18 and 21 as amended, disclose, among other things, "a model application in communication with the database and configured to receive commands from a user, to retrieve one of the plurality of models and the corresponding plurality of one or more entity, task, and resource parameter in response to a user command, to receive input data corresponding to attributes of one or more entity, task, and resource parameter from a business database system, to perform allocations of the one or more of entity, task and resource parameter, to store the allocations in the database and to generate a simulation model based on the selected business database system, the allocations that are retrieved from the database by the model application to generate the simulation model and the input data;" and "an output data file containing output data representative thereof and configured to be stored as a future model template in the database and

as input to the model application.” None of these features are taught or otherwise suggested in Son et al. and Kosiba.

Claims 2-4, 6, 8, 9, depend from Claim 1 and are non-obvious over Son et al in view of Kosiba for at least the reasons advanced with reference to Claim 1. Claims 12-16 depend from Claim 11 and are non-obvious over Son et al in view of Kosiba for at least the reasons advanced with reference to Claim 11. Claims 19-20 depend from Claim 18 and are non-obvious over Son et al in view of Kosiba for at least the reasons advanced with reference to Claim 18. Claims 22-26 and 28 depend from Claim 21 and are non-obvious over Son et al in view of Kosiba for at least the reasons advanced with reference to Claim 21.

Claims 5, 7, 10, 17 and 27 are rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Son et al in view of Kosiba et al as applied to Claims 1, 11 and 21 above, and further in view of Fontana et al (US Patent 6, 167, 564). Applicants respectfully traverse this rejection. Claims 5, 7 and 10 depend from Claim 1 and are non-obvious over Son et al in view of Kosiba and in further view of Fontana for at least the reasons advanced with reference to Claim 1. Claim 17 depends from Claim 11 and is non-obvious over Son et al in view of Kosiba and in further view of Fontana for at least the reasons advanced with reference to Claim 11. Claim 27 depends from Claim 21 and is non-obvious over Son et al in view of Kosiba and in further view of Fontana for at least the reasons advanced with reference to Claim 21.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 07-0868.

Respectfully submitted,

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FIG. 3

